

12/04/2024

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**CIVIL COVER SHEET**

Civil Cover Sheet Pg I of 7

**PLAINTIFFS**

William K. Harrington, United States Trustee for Region 2

**DEFENDANTS**GOL Linhas Aéreas Inteligentes S.A. et al.  
See Attachment A for listing of appellees**ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**

See Attachment A

**ATTORNEYS (IF KNOWN)**

See Attachment A

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

28 U.S.C. 158(a)(1) - appeal from final order of the bankruptcy court confirming a chapter 11 plan and merged interlocutory orders

Has this action, case, or proceeding, or one essentially the same, been previously filed in SDNY at any time? No  Yes  \_\_\_\_\_  
(If yes, Judge Previously Assigned)

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

**IS THIS AN INTERNATIONAL ARBITRATION CASE?**No  Yes 

(PLACE AN [x] IN ONE BOX ONLY)

**NATURE OF SUIT**

|  |  | TORTS  | ACTIONS UNDER STATUTES                    |   |  |  |
|--|--|--|---|---|--|--|
| <b>CONTRACT</b>  | <b>PERSONAL INJURY</b>                           | <b>PERSONAL INJURY</b>                             | <b>FORFEITURE/PENALTY</b>                 | <b>BANKRUPTCY</b>                               | <b>OTHER STATUTES</b>  |  |
| [ ] 110 INSURANCE  | [ ] 310 AIRPLANE                                 | [ ] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL         | [ ] 625 DRUG RELATED                      | [ ] 422 APPEAL                                  | [ ] 375 FALSE CLAIMS   |  |
| [ ] 120 MARINE   | [ ] 315 AIRPLANE PRODUCT LIABILITY               | [ ] 365 PERSONAL INJURY                            | SEIZURE OF PROPERTY                       | 28 USC 158                                      | [ ] 376 QUI TAM  |  |
| [ ] 130 MILLER ACT   | [ ] 320 ASSAULT, LIBEL & SLANDER                 | [ ] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY | [ ] 690 OTHER                             | [ ] 423 WITHDRAWAL                              | [ ] 400 STATE REAPPORTIONMENT  |  |
| [ ] 140 NEGOTIABLE INSTRUMENT                              | [ ] 330 FEDERAL EMPLOYERS' LIABILITY             |  |   | 28 USC 157                                      | [ ] 410 ANTITRUST  |  |
| [ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT  | [ ] 340 MARINE PRODUCT LIABILITY                 |  |   |   | [ ] 430 BANKS & BANKING  |  |
| [ ] 151 MEDICARE ACT                                       | [ ] 345 MARINE PRODUCT LIABILITY                 | <b>PERSONAL PROPERTY</b>                           | [ ] 820 COPYRIGHTS                        | [ ] 880 DEFEND TRADE SECRETS ACT                | [ ] 450 COMMERCE   |  |
| [ ] 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS) | [ ] 350 MOTOR VEHICLE PRODUCT LIABILITY          | [ ] 370 OTHER FRAUD                                | [ ] 830 PATENT                            | [ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION | [ ] 460 DEPORTATION  |  |
| [ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS      | [ ] 355 MOTOR VEHICLE PRODUCT LIABILITY          | [ ] 371 TRUTH IN LENDING                           | [ ] 840 TRADEMARK                         |   | [ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)           |  |
| [ ] 160 STOCKHOLDERS SUITS                                 |  |  |   |   | [ ] 480 CONSUMER CREDIT  |  |
| [ ] 190 OTHER CONTRACT                                     |  |  |   |   | [ ] 485 TELEPHONE CONSUMER PROTECTION ACT                                |  |
| [ ] 195 CONTRACT PRODUCT LIABILITY                         |  | <b>PRISONER PETITIONS</b>                          | <b>LABOR</b>                              |   |  |  |
| [ ] 196 FRANCHISE  |  | [ ] 463 ALIEN DETAINEE                             | [ ] 710 FAIR LABOR STANDARDS ACT          | [ ] 861 HIA (1395ff)                            | [ ] 490 CABLE/SATELLITE TV   |  |
|  | <b>ACTIONS UNDER STATUTES</b>                    | [ ] 510 MOTIONS TO VACATE SENTENCE                 | [ ] 720 LABOR/MGMT RELATIONS              | [ ] 862 BLACK LUNG (923)                        | [ ] 850 SECURITIES/COMMODITIES/EXCHANGE                                  |  |
|  | <b>CIVIL RIGHTS</b>                              | 28 USC 2255  | [ ] 740 RAILWAY LABOR ACT                 | [ ] 863 DIWC/DIWV (405(g))                      | [ ] 890 OTHER STATUTORY ACTIONS  |  |
|  |  | [ ] 530 HABEAS CORPUS                              | [ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)   | [ ] 864 SSID TITLE XVI                          | [ ] 891 AGRICULTURAL ACTS  |  |
|  |  | [ ] 535 DEATH PENALTY                              | [ ] 790 OTHER LABOR LITIGATION            | [ ] 865 RSI (405(g))                            | [ ] 893 ENVIRONMENTAL MATTERS  |  |
|  |  | [ ] 540 MANDAMUS & OTHER                           | [ ] 791 EMPL RET INC SECURITY ACT (ERISA) | [ ] 870 TAXES (U.S. Plaintiff or Defendant)     | [ ] 895 FREEDOM OF INFORMATION ACT                                       |  |
|  |  |  |   | [ ] 871 IRS-THIRD PARTY                         | [ ] 896 ARBITRATION  |  |
|  |  |  |   | 26 USC 7609                                     | [ ] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION |  |
| <b>REAL PROPERTY</b>                                       |  |  |   |   | [ ] 950 CONSTITUTIONALITY OF STATE STATUTES                              |  |
| [ ] 210 LAND CONDEMNATION                                  | [ ] 441 VOTING                                   | <b>PRISONER CIVIL RIGHTS</b>                       | <b>IMMIGRATION</b>                        |   |  |  |
| [ ] 220 FORECLOSURE  | [ ] 442 EMPLOYMENT                               | [ ] 550 CIVIL RIGHTS                               | [ ] 462 NATURALIZATION                    |   |  |  |
| [ ] 230 RENT LEASE & EJECTION                              | [ ] 443 HOUSING/ACCOMMODATIONS                   | [ ] 555 PRISON CONDITION                           | APPLICATION                               |   |  |  |
| [ ] 240 TORTS TO LAND                                      | [ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT | [ ] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT   | [ ] 465 OTHER IMMIGRATION ACTIONS         |   |  |  |
| [ ] 245 TORT PRODUCT LIABILITY                             | [ ] 446 AMERICANS WITH DISABILITIES - OTHER      |  |   |   |  |  |
| [ ] 290 ALL OTHER REAL PROPERTY                            | [ ] 448 EDUCATION                                |  |   |   |  |  |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

## Civil Cover Sheet Pg 2 of 7

(PLACE AN x IN ONE BOX ONLY)

- 1 Original Proceeding     2 Removed from State Court     3 Remanded from Appellate Court  
 a. all parties represented     b. At least one party is pro se.
- 4 Reinstated or Reopened     5 Transferred from (Specify District)     6 Multidistrict Litigation (Transferred)  
 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF     2 U.S. DEFENDANT     3 FEDERAL QUESTION     4 DIVERSITY  
(U.S. NOT A PARTY)

**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

|                          |              |              |   |                        |   |              |              |
|--------------------------|--------------|--------------|---|------------------------|---|--------------|--------------|
| CITIZEN OF THIS STATE    | PTF<br>[ ] 1 | DEF<br>[ ] 1 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY                   | PTF DEF<br>[ ] 3 [ ] 3 | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF<br>[ ] 5 | DEF<br>[ ] 5 |
| CITIZEN OF ANOTHER STATE | [ ] 2        | [ ] 2        | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [ ] 4 [ ] 4            | FOREIGN NATION  | [ ] 6        | [ ] 6        |

**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)****DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)****DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I have reviewed Rules 18(a) and 20(a) of the Rules for the Division of Business Among District Judges, Southern District of New York, and I hereby certify that this case should be assigned to the courthouse indicated below pursuant thereto.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 05/23/2025 /s/ Linda A. Riffkin

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[x] YES (DATE ADMITTED Mo. Nov. Yr. 1985)  
Attorney Bar Code # 2017689

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so designated.

Tammi M. Hellwig, Clerk of Court by \_\_\_\_\_ Deputy Clerk, Dated \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

**Attachment A**

| <i>Parties</i>   | <i>Attorneys</i>  |
|--|---|
| William K. Harrington, United States<br>Trustee for Region 2 | WILLIAM K. HARRINGTON<br>United States Trustee for Region 2<br>LINDA A. RIFFKIN<br>Assistant United States Trustee<br>ANNIE WELLS<br>RACHAEL E. SIEGEL<br>ANDREW D. VELEZ-RIVERA<br>Trial Attorneys   |
| <i>Appellant</i>   | Department of Justice<br>Office of the United States Trustee<br>Alexander Hamilton Custom House<br>One Bowling Green, Room 534<br>New York, NY 10004-1408<br>Tel.: (212) 510-0500<br><a href="mailto:linda.riffkin@usdoj.gov">linda.riffkin@usdoj.gov</a><br><a href="mailto:annie.wells@usdoj.gov">annie.wells@usdoj.gov</a><br><a href="mailto:rachael.e.siegel@usdoj.gov">rachael.e.siegel@usdoj.gov</a><br><a href="mailto:andy.velez-rivera@usdoj.gov">andy.velez-rivera@usdoj.gov</a> |
|  | RAMONA D. ELLIOTT<br>Deputy Director/General Counsel<br>P. MATTHEW SUTKO<br>Associate General Counsel<br>FREDERICK GASTON HALL<br>Trial Attorney  |
|  | Department of Justice<br>Executive Office for<br>United States Trustees<br>441 G Street, NW, Suite 6150<br>Washington, DC 20530<br>Tel.: (202) 307-1399<br><a href="mailto:frederick.g.hall@usdoj.gov">frederick.g.hall@usdoj.gov</a>   |

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| <p>GOL Linhas Aéreas Inteligentes S.A.;<br/>GOL Linhas Aéreas S.A.; GTX S.A.;<br/>GAC, Inc.; Gol Finance<br/>(Luxembourg); Gol Finance (Cayman);<br/>Smiles Fidelidade S.A.; Smiles Viagens<br/>e Turismo S.A.; Smiles Fidelidade<br/>Argentina S.A.; Smiles Viajes y<br/>Turismo S.A.; Capitânia Air Fundo de<br/>Investimento Multimercado Crédito<br/>Privado Investimento no Exterior;<br/>Sorriso Fundo de Investimento em<br/>Cotas de Fundos de Investimento<br/>Multimercado Crédito Privado<br/>Investimento no Exterior; and Gol<br/>Equity Finance</p> <p><i>Appellees</i></p> | <p>Evan R. Fleck<br/>Lauren C. Doyle<br/>Bryan V. Uelk<br/>MILBANK LLP<br/>55 Hudson Yards<br/>New York, NY 10001<br/>Telephone: (212) 530-5000<br/>Facsimile: (212) 530-5219<br/><a href="mailto:efleck@milbank.com">efleck@milbank.com</a><br/><a href="mailto:ldoyle@milbank.com">ldoyle@milbank.com</a><br/><a href="mailto:buelk@milbank.com">buelk@milbank.com</a></p> <p>Andrew M. Leblanc<br/>Erin E. Dexter<br/>MILBANK LLP<br/>1850 K St NW, Suite 1100<br/>Washington, DC 20006<br/>Telephone: (202) 835-7500<br/>Facsimile: (202) 263-7586<br/><a href="mailto:aleblanc@milbank.com">aleblanc@milbank.com</a><br/><a href="mailto:edexter@milbank.com">edexter@milbank.com</a></p> <p>Gregory A. Bray<br/>MILBANK LLP<br/>2029 Century Park East<br/>33rd Floor<br/>Los Angeles, CA 90067<br/>Telephone: (424) 386-4000<br/>Facsimile: (213) 629-5063<br/><a href="mailto:gbray@milbank.com">gbray@milbank.com</a></p> |
| <p>United States Securities and Exchange<br/>Commission</p> <p><i>Appellee</i></p>  | <p>Alan Maza<br/>United States Securities and Exchange<br/>Commission<br/>100 Pearl Street<br/>Suite 20-100<br/>New York, NY 10004<br/>(212) 336-1100<br/><a href="mailto:mazaa@sec.gov">mazaa@sec.gov</a></p>   |

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|--|---|
| Official Committee of Unsecured Creditors<br><br><i>Appellee</i> | Brett H. Miller<br>Todd M. Goren<br>Craig A. Damast<br>James H. Burbage<br>WILLKIE FARR & GALLAGHER LLP<br>787 Seventh Avenue<br>New York, New York 10019<br>Telephone: (212) 728-8000<br>Facsimile: (212) 728-8111<br><a href="mailto:bmiller@willkie.com">bmiller@willkie.com</a><br><a href="mailto:tgoren@willkie.com">tgoren@willkie.com</a><br><a href="mailto:cdamast@willkie.com">cdamast@willkie.com</a><br><a href="mailto:jburbage@willkie.com">jburbage@willkie.com</a> |
| Two Seas Global (Master) Fund LP<br><br><i>Appellee</i>          | Andrew K. Glenn<br>Shai Schmidt<br>Naznen Rahman<br>GLENN AGRE BERGMAN & FUENTES LLP<br>1185 Avenue of the Americas<br>22nd Floor<br>New York, New York 10036<br>Telephone: (212) 970-1600<br><a href="mailto:aglenn@glenngare.com">aglenn@glenngare.com</a><br><a href="mailto:sschmidt@glenngare.com">sschmidt@glenngare.com</a><br><a href="mailto:nrahman@glenngare.com">nrahman@glenngare.com</a>  |
| Whitebox Advisors LLC<br><br><i>Appellee</i>                     | Richard J. Cooper<br>Thomas S. Kessler<br>CLEARY GOTTLIEB STEEN & HAMILTON LLP<br>One Liberty Plaza<br>New York, New York 10006<br>Telephone: (212) 225-2000<br>Facsimile: (212) 225-3999<br><a href="mailto:rcooper@cgsh.com">rcooper@cgsh.com</a><br><a href="mailto:tkessler@cgsh.com">tkessler@cgsh.com</a>   |

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|---|---|
| <p>Avenue Aviation Opportunities Fund III (Onshore) L.P.; GLG Partners, L.P. (as Investment Advisor on behalf of Man Funds VI plc, Man Funds XII SPC, and Man GLG Credit Multi-Strategy Master Fund); Global Investment Opportunities ICAV; ICU Trading Ltd.; IPG Investment Advisors, LLC; Plenisfer Investments SGR S.p.A. (as Investment Advisor on behalf of the Plenisfer Funds); Sandglass Capital Advisors LLC (as Investment Advisor on behalf of Sandglass Funds); Seamrog Distressed Credit and Special Situations Sub-Fund; Shiprock Capital Master Fund LP; VR Global Partners, L.P.; Wilmington Trust, N.A. (as Indenture Trustee with respect to the 2026 Senior Secured Notes)</p> | <p>David H. Botter<br/>     Luke A. Barefoot<br/>     Jane VanLare<br/>     CLEARY GOTTLIEB STEEN &amp;<br/>     HAMILTON LLP<br/>     One Liberty Plaza<br/>     New York, New York 10006<br/>     Telephone: (212) 225-2000<br/>     Facsimile: (212) 225-3999<br/>     dbotter@cgsh.com<br/>     lbarefoot@cgsh.com<br/>     jvanlare@cgsh.com</p>   |
| <p><i>Appellees</i></p> <p>Oracle do Brasil Sistemas Ltda.; Oracle America, Inc.</p> <p><i>Appellees</i></p>  | <p>Mark F. Magnozzi, Esq.<br/>     Benjamin Rachelson, Esq.<br/>     THE MAGNOZZI LAW FIRM, P.C.<br/>     23 Green Street, Suite 302<br/>     Huntington, New York 11743<br/>     Telephone: (631) 923-2858<br/>     mmagnozzi@magnozzilaw.com</p> <p>Shawn M. Christianson, Esq.<br/>     BUCHALTER, A Professional Corporation<br/>     425 Market Street, Suite 2900<br/>     San Francisco, California 94105-2126<br/>     Telephone: (415) 227-0900<br/>     schristianson@buchalter.com</p> |
| <p>Ad Hoc Group of Abra Noteholders and DIP Lenders</p> <p><i>Appellees</i></p>   | <p>Allan S. Brilliant<br/>     Eric Hilmo<br/>     DECHERT LLP<br/>     1095 Avenue of the Americas</p>   |

|   |  |
|---|--|
|   | New York, NY 10036-6797<br>(212) 698-3500<br>allan.brilliant@dechert.com<br>eric.hilmo@dechert.com   |
| Wilmington Trust, National Association, in its capacity as Indenture Trustee<br><br><i>Appellee</i> | Glenn E. Siegel, Esq.<br>William D. Curtis, Esq.<br>Halee M. Smith, Esq.<br>Moore & Van Allen PLLC<br>100 North Tryon Street, Suite 4700<br>Charlotte, NC 28202-4003<br>Telephone: 704-331-1197<br>glennsiegel@mvalaw.com<br>williamcurtis@mvalaw.com<br>haleesmith@mvalaw.com |
| TAM Linhas Aéreas S.A.<br><br><i>Appellee</i>   | TOGUT, SEGAL & SEGAL LLP<br>One Penn Plaza, Suite 3335<br>New York, New York 10119<br>(212) 594-5000<br>Kyle J. Ortiz<br>Jared C. Borriello<br>Amanda C. Glaubach<br>kortiz@teamtogut.com<br>jborriello@teamtogut.com<br>aglaubach@teamtogut.com                               |